

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHNNY LE ANDREW HUDSON,

Defendant.

Case No. 2:16-cr-00194-APG-NJK

ORDER

(Docket No. 41)

Pending before the Court is Clark County Department of Family Services' ("DFS") emergency motion to quash subpoena. Docket No. 41. Defendant Johnny Le Andrew Hudson responded, and DFS replied. Docket Nos. 43, 44.¹

The parties agree that, pursuant to NRS 432B.280 and 423B.290, the documents must remain confidential unless the Court reviews them in camera, and makes a determination as to whether public disclosure of the information is necessary for the determination of an issue before the Court.

Accordingly, the motion to quash, Docket No. 41, is hereby **GRANTED** in part and **DENIED** in part. DFS must provide the subpoenaed records, *in camera*, to the undersigned's chambers, no later than August 3, 2016. Counsel for Defendant shall file, under seal, the specific issues counsel intends to address at trial with the subpoenaed records, in order to assist the Court in making its determination.

¹The parties disagree about whether DFS's motion and reply should have been filed under seal, because the subpoena is issued under seal. DFS did not attach the subpoena to its motion, and mentions nothing specific about the content of the subpoena. Therefore, the Court finds that the motion and reply do not need to be sealed.

1 This filing shall be made no later than August 4, 2016. DFS is not to provide the records to defense
2 counsel's office.

3 IT IS SO ORDERED.

4 DATED: August 2, 2016.

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7 NANCY J. KOPPE
8 United States Magistrate Judge
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